

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

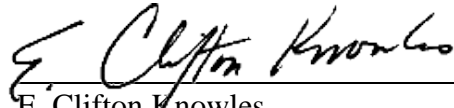
<b>DEVELOPERS DIVERSIFIED OF</b>	)	
<b>TENNESSEE, INC., n/k/a DDR Corp.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
	)	
<b>vs.</b>	)	<b>CASE NO. 3:04-0015</b>
	)	<b>JUDGE KNOWLES</b>
	)	
	)	
<b>TOKIO FIRE and MARINE</b>	)	
<b>INSURANCE CO.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

This matter is before the Court upon three Motions, all relating to parties' Motions for Summary Judgment: (1) "DDR's Motion to Strike Improper Affidavits and Testimony Submitted by Tokio in Opposition to DDR's Motion for Summary Judgment"(Docket No. 311); (2) "DDR's Motion to Have Certain Facts Proffered in Support of its Motion for Summary Judgment Deemed to Be Undisputed For The Purpose of DDR's Motion for Summary Judgment" (Docket No. 323); and (3) "Claimant's Request for Oral Argument With Regard to Pending Motions" filed by Tokio (Docket No. 336).

The undersigned has entered an Order denying the parties' Motions for Summary Judgment. Docket Nos. 341, 342. Therefore, the foregoing Motions (Docket Nos. 311, 323, 336) are DENIED AS MOOT.

IT IS SO ORDERED.

  
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E. Clifton Knowles  
United States Magistrate Judge